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June 17, 2021

BY ECF

The Honorable Philip M. Halpern
United States District Judge
300 Quarropas Street
White Plains, New York 10601

Re: *Michael Giles v. City of Mount Vernon, et al.*, 20 CV 05119 (PMH)

Dear Judge Halpern:

I represent the plain
the parties, who jointly requ
Plan and Scheduling Order

Since last updating
have completed a number o
non-parties via subpoena, a
most recently participated in
multiple counsel to set up p
that this was a multi law en
-- both law enforcement an
over 50 law enforcement
plaintiff's disputed arrest),
circumstances that the parti
of July 22, 2021 to complet
I had two trials scheduled i
of other deadlines, includin
judgment submissions due
parties respectfully request
from July 22, 2021 to Septe

to narrow the list of potential witnesses and depose those that are necessary for the parties to
prepare their claims and defenses for motions and/or trial, including the several or more non-
party witnesses who would have to located and subpoenaed.

Additionally, we request that expert discovery be bifurcated from fact discovery as we
contemplate potential liability expert practice, and would need a full fact discovery record to
proceed with expert discovery.

Under all of the circumstances, the parties request that the Court approve the following
amended schedule:

Application granted. The deadlines set forth in the Civil Case Discovery Plan
and Scheduling Order docketed on March 23, 2021 (Doc. 52) are extended
as follows: Non-expert depositions shall be completed by September 22,
2021; Fact discovery shall be completed by October 22, 2021; Plaintiff's
expert disclosures shall be due by November 22, 2021; Defendants' expert
disclosures shall be due by December 22, 2021; Expert discovery (including
depositions) shall be completed by January 7, 2022; All discovery shall be
completed by January 7, 2022.

The case management conference currently scheduled for September 14,
2021 at 10:30 a.m. is adjourned to January 13, 2022 at 11:00 a.m. At the
time of the scheduled conference, all parties shall call the following number:
(888) 398-2342; access code 3456831.

The Clerk of the Court is respectfully directed to terminate the motion
sequence pending at Doc. 55.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: White Plains, New York
June 21, 2021

- Non-expert depositions: deadline extended from June 22, 2021 to September 22, 2021
- Fact discovery: completion date extended from July 22, 2021 to October 22, 2021
- Plaintiff's expert disclosures: extended from July 8, 2021 to November 22, 2021
- Defendants' expert disclosures: extended from August 9, 2021 to December 22, 2021
- Expert Discovery (incl. depositions): deadline extended from September 8, 2021 to January 7, 2022
- Close of All Discovery: extended to January 7, 2022

Finally, a case management conference is scheduled for September 14, 2021 at 10:30 a.m. The parties request a corresponding adjournment of the conference unless convening the conference as scheduled would be helpful to the Court.

The parties assure the Court that they are anxious to move this case to trial, and have been working in good faith to litigate this case while engaging in ongoing good faith efforts to attempt to resolve it. Under the particular circumstances here – an operation involving a large number of potential witnesses – together with the ongoing cooperation of all counsel in attempting to push this case forward, the parties jointly request that the Court approve the relief requested herein.

Thank you for your consideration.

Respectfully,

Brett Klein

Brett H. Klein

cc: All Counsel (by ECF)